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Attorneys for Defendant Church & Dwight Co., Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TAMMY DEVANE, MICHELLE
BARBATO, PETER BARBATO, AND
SHARON MAROLDI,

Plaintiffs,

v.

CHURCH & DWIGHT CO., INC.,

Defendant.

Civ. No. 3:19-cv-09899 (BRM) (LHG)

Motion Date: August 19, 2019

Document Electronically Filed

Oral Argument Requested

**DEFENDANT CHURCH & DWIGHT'S NOTICE OF MOTION TO DISMISS
PLAINTIFFS' AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, on August 19, 2019, or at such other date and time as the Court shall designate, the undersigned, attorneys for Defendant Church & Dwight Co., Inc. (“Church & Dwight”), will, and hereby do, respectfully move the Honorable Brian R. Martinotti, U.S.D.J., presiding at the United States District Court for the District of New Jersey, Fisher Fed. Bldg. & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order, pursuant to Rules 12(b)(6) and 12(b)(1) of the Federal Rules of Civil Procedure and the doctrine of primary jurisdiction, dismissing Plaintiffs’ Amended Class Action Complaint in its entirety with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendant Church & Dwight will rely upon the memoranda of law filed in connection with its motion, the Declaration of Baldassare Vinti and accompanying exhibits, all other pleadings on file in this action and any oral argument permitted by the Court.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested in the event there is opposition to this Motion.

Dated: July 26, 2019

Respectfully Submitted,

s/ Alychia L. Buchan

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